

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

RICHARD SCARANTINO, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

PAPA MURPHY'S HOLDINGS, INC.,
ALEXANDER C. MATINA, BENJAMIN
HOCHBERG, DAVID MOUNTS, JEAN M.
BIRCH, JOHN SHAFER, KATHERINE L.
SCHERPING, NOAH A. ELBOGEN, ROB
WEISBERG, WELDON SPANGLER, YOON
JIN KIM, MTY FRANCHISING USA, INC.,
and MTY COLUMBIA MERGER SUB,
INC.,

Defendants.

Case No. 1:19-cv-00791-MN
Hon. Judge Maryellen Noreika

NOTICE TO WITHDRAW WITHOUT PREJUDICE
MOTION FOR LEAD PLAINTIFF AND COUNSEL AS MOOT

Movant Evan Brown ("Movant") respectfully submits this notice to withdraw without prejudice his July 3, 2019 motion to appoint lead plaintiff and counsel (D.I. 3) as moot. On August 12, 2019, Movant also filed his motion for lead plaintiff and counsel in parallel litigation brought by Movant pending before Judge Richard Creature in the Western District of Washington (the "Washington Court"). On September 9, 2019, the Washington Court entered an order appointing Movant and his counsel as lead plaintiff and counsel, respectively. See Order attached as Exhibit A. Accordingly, Movant's motion for lead plaintiff and counsel (D.I. 3) is hereby withdrawn without prejudice as moot.

Dated: October 7, 2019

COOCH AND TAYLOR, P.A.

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